



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

LCC:ddj

Docket No: 4558-99

25 April 2000

[REDACTED]

Dear MR [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1145 SER 814/OU0205 of 27 March 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure

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DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

1145
Ser 814/0U0205
27 Mar 00

**MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL
RECORDS**

Via: Assistant for BCNR Matters (PERS-00XCB)

Subj: FMR MBR RM2 [REDACTED] USN, [REDACTED]

Encl: (1) BCNR docket #04558-99 w/fiche service record

1. In response to enclosure (1), after careful review of RM2 [REDACTED] petition, I do not concur with members request. RM2 [REDACTED] was selected to Petty Officer Second Class prior to his High Year Tenure date (HYT). HYT for Second Class Petty Officers is 20 years. RM2 [REDACTED] separated at EAOS that makes his separation voluntary, and making him not eligible for separation under HYT.

2. This is an advisory memorandum for the use of the Board for Correction of Naval Records only.

[REDACTED]
Section Head, Reenlistment
Management Branch